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10/645,008

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EXAMINER

GELAGAY, SHEWAYE

ART UNIT

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2437

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/645,008 | Applicant(s) AULL ET AL. | |
| | Examiner SHEWAYE GELAGAY | Art Unit 2437 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 8-13, 15-21, 25-28, 30, 32 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8-13, 15-21, 25-28, 30, 32 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action in response to the Applicant's response filed on April 16, 2008.
2. Claims 1, 3-4, 6, 8-13, 15-20, 25-28, 32 and 35 have been amended. Claims 1-4, 6, 8-13, 15-21, 25-28, 30, 32 and 35 have been amended.

Response to Arguments

3. Applicant's arguments filed on 4/16/08 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 8, 10, 12, 14, 20, 25-26, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. (hereinafter Phillips) US 6,721,555 and in view Kurisko et al. (hereinafter Kurisko) US Patent Number 7,174,130 and in view of Bartek et al. (hereinafter Bartek) US 2004/0122649.

As per claims 1, 12, 20, 25, 32 and 35:

Phillips teaches a physical device bonding system that facilitates device installation or authentication comprising: a physical interface component that physically couples at least two devices to establish a non-physical connection between the at least

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two devices, (figure 1, item Rm; col. 7, lines 41-57) wherein the physical interface component comprises a token key that physically connects the at least two devices simultaneously, (figure 1, item Rm; col. 7, lines 41-57) and an invocation component that invokes the installation protocol or the authentication protocol for the non-physical connection. (figure 1, item Rm; col. 7, lines 41-57)

Phillips does not explicitly teach to establishing a non-physical connection between the at least two devices; and the physical interface at least stores one of an installation protocol or an authentication protocol for later use and establishes the non-physical connection. Kurisko in analogous art, however, teaches establishing a non-physical connection between the at least two devices. (figures 4 and 5; col. 6, lines 56-60; col. 7, line 8—col. 8, line 12) Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to modify the method disclosed by Philips with Kurisko in order to improve security by transmitting data keys and/or other pairing operations over a temporary wired connection to another wireless device. (Abstract; Kurisko)

Both references do not explicitly disclose store at least one of an installation protocol or an authentication protocol for later use and establishes the non-physical connection. Bartek in analogous art, however teaches store at least one of an installation protocol or an authentication protocol for later use and establishes the non-physical connection. (page 1, pp. 4-6; page 2, pp. 20; page 3. pp. 29-page 4, pp. 38) Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to modify the system disclosed by Phillips and Kurisko with Bartek

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in order to have a system for emulating a physical connection by providing a wireless substitute for physical connections to peripherals. (page 1, pp. 4; Bartek)

As per claims 2 and 14:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. In addition, Phillips further discloses a system at least two devices further comprising at least one wireless device and at least one network entity. (figure 1)

As per claim 3:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. In addition, Phillips further discloses a system the installation protocol at least one of the authentication protocol invokes the installation at least one of authentication during the physical connection. (col. 5, lines 6-25)

As per claim 4:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. In addition, Phillips further discloses a system at least one of the installation protocol or the authentication protocol is utilized to invoke installation or authentication after a physical connection is disengaged. (col. 5, lines 56-64)

As per claim 26:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. In addition, Phillips further discloses a system that infers at least one of the installation protocols or authentication protocols to establish the non-physical connection between a wireless device and a network entity. (col. 4, line 54-col. 5, line

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63)

As per claim 8:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. In addition, Phillips further discloses a system the physical interface is at least one of or a combination of the following: a human; a cradle; a dock; a cord; a wand; a wire; and a touch pad. (figure 1, item Rm; col. 7, lines 41-57)

As per claim 10:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. In addition, Phillips further discloses a system the physical interface is a universal serial bus cable. (figure 1, item Rm; col. 7, lines 41-57)

As per claim 11:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. In addition, Hocker further discloses a non-physical connection is at least one of: a wireless connection; an optical connection; and an infrared connection. (col. 1, lines 50-col. 2, line 21; col. 3, lines 19-33; col. 7, lines 141-27; col. 8, lines 45-col. 10, line 4)

1. Claims 6, 9, 15-19, 21, 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. (hereinafter Phillips) US Patent Number 6,721,555 and in view Kurisko et al. (hereinafter Kurisko) US Patent Number 7,174,130 and in view of Bartek et al. (hereinafter Bartek) US 2004/0122649 and further in view of Plasson et al. (hereinafter Plasson) US Patent Number 6,795,688.

As per claims 6, 21, 27 and 30:

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2. The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. None of the references explicitly disclose the invocation component utilizes a daisy chain scheme to invoke at least one of the installation protocol or authentication protocol. Plasson in analogous art, however, discloses invocation component utilizes a daisy chain scheme to invoke the installation protocol and/or authentication protocol. (col. 10, line 34-col. 11, line 11 ; col. 17, lines 53-67) Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Phillips, Kurisko and Bartek with Plasson in order to provide a system dynamically configuring a device, adapted to be communicatively coupled in a wireless personal area network, with an attribute corresponding to the device. (col. 5, lines 43-45; Plasson)

As per claim 9:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. None of the references explicitly disclose the physical interface is a touch-pad comprising a conductive material. Plasson in analogous art, however, discloses the physical interface is a touch-pad comprising a conductive material. (col. 10, lines 8-17) Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Phillips, Kurisko and Bartek with Plasson in order to provide a system to communicate information and command selections. (col. 10, lines 9-10; Plasson)

As per claim 15:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. None of the references explicitly disclose the physical interface component comprises a plurality of device at least one of the installation or authentication protocol(s) that provides the installation and/or authentication of a plurality of non-physical connections. Plasson in analogous art, however, discloses the physical interface component comprises a plurality of device at least one of the installation or authentication protocol(s) that provides at least one of the installation or authentication of a plurality of non-physical connections. (figure 3A) Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Phillips, Kurisko and Bartek with Plasson in order to provide a system to communicate information and command selections. (col. 10, lines 9-10; Plasson)

As per claims 16 and 18-19:

The combination of Phillips, Kurisko, Bartek and Plasson teaches all the subject matter as discussed above. In addition, Plasson further discloses a system the non-physical connections between the plurality of devices and the at least one network entity are independent and separate. (figure 1, item 190)

As per claim 17:

The combination of Phillips, Kurisko, Bartek and Plasson teaches all the subject matter as discussed above. None of the references explicitly disclose the device is at least one of a wireless adapter; a wireless speaker; a wireless headset; a wireless keyboard; a wireless mouse; a wireless monitor; a wireless personal digital assistant (PDA); a wireless access point; and a wireless MP3 player. (col. 10, lines 8-55)

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Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Phillips, Kurisko and Bartek with Plasson in order to provide a system dynamically configuring a device, adapted to be communicatively coupled in a wireless personal area network, with an attribute corresponding to the device. (col. 5, lines 43-45; Plasson)

3. Claims 13 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et al. (hereinafter Phillips) US Patent Number 6,721,555 and in view Kurisko et al. (hereinafter Kurisko) US Patent Number 7,174,130 and in view of Bartek et al. (hereinafter Bartek) US 2004/0122649 and further in view of Chaskar et al. (hereinafter Chaskar) US Publication Number 2005/0066044.

As per claims 13 and 28:

The combination of Phillips, Kurisko and Bartek teaches all the subject matter as discussed above. None of the references explicitly disclose utilizing an artificial intelligence technique to facilitate installation and/or authentication of a device. Chaskar in analogous art, however, discloses utilizing an artificial intelligence technique to facilitate installation and/or authentication of a device. (page 5, paragraph 51) Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Phillips, Kurisko and Bartek with Chaskar in order to facilitate probability of success regarding satisfying the mobile device current location determination needs.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEWAYE GELAGAY whose telephone number is (571)272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. G./

Examiner, Art Unit 2437

/Matthew B Smithers/

Primary Examiner, Art Unit 2437